

AO 91 (Rev. 08/09) Criminal Complaint

CLERK US DISTRICT COURT
NORTHERN DIST OF TX

ORIGINAL

UNITED STATES DISTRICT COURT

for the
Northern District of Texas

2019 FEB 14 AM 9:12

DEPUTY CLERK 

United States of America)

v.)

Case No.

5 - 19MJ - 0037

Johan Loewen-Thiessen)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 13, 2019 in the county of Gaines in the
Northern District of Texas, the defendant(s) violated:

Code Section

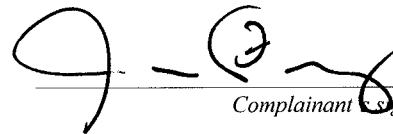
Title 8, United States Code, Section
1326

Offense Description

Defendant, an alien, knowingly entered, attempted to enter, and was found in the United States of America after having been denied admission, excluded, deported, and removed therefrom at or near the Port of Departure at Del Rio Texas, on or about March 02, 2016, and not having received the express consent of the Attorney General of the United States and the Secretary of Homeland Security to apply for readmission to the United States since the time of his previous denial of admission, exclusion, deportation, and removal therefrom, in violation of Title 8, United States Code, Section 1326.

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.

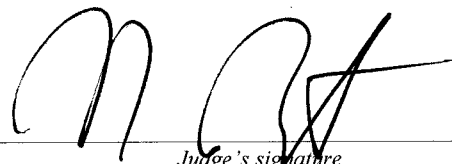
Complainant Signature

Jimmy Perez, HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date:

2/14/19

Judge's signature

City and state:

Lubbock, Texas

D. Gordon Bryant, Jr. U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF COMPLAINT

I, Jimmy Perez, being first duly sworn, do depose and state the following:

I am a Special Agent with the Department of Homeland Security, Homeland Security Investigations (HSI), and I have been so employed since July of 1994. I am currently assigned to the Homeland Security Investigations (HSI) Resident Agent in Charge (RAC) in Lubbock, Texas. I am a graduate of the Federal Law Enforcement Training Center and as a result of my training and experience as an Homeland Security Investigations Agent, my duties include (but are not limited to) the investigation and enforcement of Titles 8, 18, 19, 21, and 33 of the United States Code.

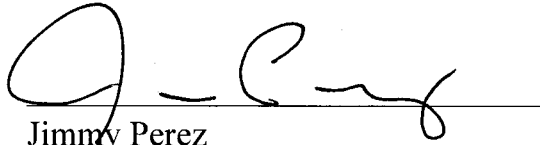
On February 13, 2019, at approximately 1300 hours, I was made aware of the presence of Johan Loewen-Thiessen, who was arrested by Lubbock Immigration and Customs Enforcement, Enforcement and Removal Operations (ICE/ERO) Officers on February 13, 2019 after he was encountered by ICE/ERO Officers in Seminole, Texas (Gaines County).

ICE/ERO Officer David Harshbarger interviewed Loewen-Thiessen regarding his immigration status after reading Loewen-Thiessen his *Miranda* rights. Loewen-Thiessen admitted to being illegally in the United States after previously being deported.

Through records checks and by submitting Loewen-Thiessen's fingerprints into a national database, Officer Harshbarger was able to further determine that Loewen-Thiessen is in fact a prior deportation. Officer Harshbarger learned that Loewen-Thiessen is, and was last deported on March 02, 2016 at or near the Port of Entry in Del Rio, Texas, as citizen and national of Mexico. On March 16, 2004, Loewen-Thiessen was also previously deported via the Laredo, Texas Port of Entry to Mexico. Loewen-Thiessen stated that he re-entered the United States at an unknown location, at an unknown date and time and lived in Seminole, Texas area to work until he was arrested by ICE/ERO Officers on February 13, 2019.

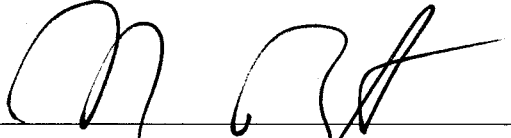
A query of Department of Homeland Security databases also revealed that he had not received the express consent of the Attorney General of the United States or the Secretary of Homeland Security to apply for readmission to the United States since the time of his previous denial of admission, exclusion, deportation, and removal from the United States. Loewen-Thiessen was given the opportunity to speak with the Mexican Consulate's office and he stated that he did want to talk to them. ICE/DRO are currently setting a date and time for MORALES-Frias to speak to the Mexican Consulate.

Based upon the above information, your affiant believes that probable cause exists to arrest Johan Loewen-Thiessen for violation of Title 8 United States Code 1326; Illegal Reentry After deportation.



Jimmy Perez
HSI Special Agent

Subscribed and sworn to before me this 14th day of February, 2019.



D. GORDON BRYANT, JR.
UNITED STATES MAGISTRATE JUDGE